

#12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Pavel LAZAREV and Michael PAUKSHTO

Serial No.: 10/043,959

Filed: January 8, 2002

For: *Device and Method for Forming  
Anisotropic Films*

**TRANSMITTAL FOR SUPPLEMENTAL  
PETITION FOR RETROACTIVE LICENSE  
UNDER 37 CFR 5.25**

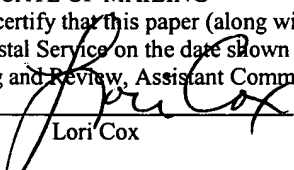
Examiner: Quinn, Mark

Group Art Unit: 2871

Date: April 22, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Attention: Licensing and Review, Assistant Commissioner for Patents, Washington, D.C. 20231, on April 22, 2003.

Signed:   
Lori Cox

**Attn: Licensing and Review**  
Assistant Commissioner for Patents  
Washington, D. C. 20231

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Sir:

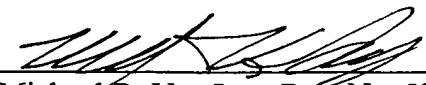
Pursuant to the Decision on Request Under 37 CFR 5.25 mailed on March 14, 2003 for the subject patent application enclosed are the following items:

1. Supplemental Petition for Retroactive License Under 37 CFR 5.25;
2. Supplemental Declaration of Alla Sakharova; and
3. Return Postcard.

The Commissioner is hereby authorized to charge the above fees and another other fees determined to be due in connection with this communication to our Deposit Account No. 50-2319 (Order No. A-71213/AJT(463031-46)).

Respectfully submitted,

By:

  
Michael D. Van Loy, Reg. No. 52,315  
for Aldo J. Test, Reg. No. 18,048

DORSEY & WHITNEY LLP  
Four Embarcadero Center, Suite 3400  
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Lori Cox

Attn: **Licensing and Review**  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

The original petition filed on December 10, 2002 included facts which were believed to comply with the requirements.

On March 24, 2003 a decision on request under 37 C.F.R. 5.25 was received.

The petition was denied in that the petition was defective since the requirements set forth in 37 C.F.R. 5.25(a)(3)(ii-iii) were not met.

Attached hereto is a Supplemental Declaration of Alla Sakharova.

This Declaration clearly sets forth the facts on how the application was filed in Russia by a Russian patent agent unaware of the U.S. license requirements under 37 C.F.R. 5.25. Clearly this was through error and without any deceptive intent.


The Declaration further sets forth when Alla Sakharova became aware of the requirement of a license for filing in a foreign country and the steps taken following that requirement including investigation, gathering of data and preparation of the necessary declaration and petition.

It is respectfully requested that the Examiner reconsider the decision and grant the requested license.

The Commissioner is hereby authorized to charge the above fees and another other fees determined to be due in connection with this communication to our Deposit Account No. 50-2319 (Order No. A-71213/AJT(463031-46)).

Respectfully submitted,

By:

  
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